

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  IOWA COUNTY E-9-1-1 BOARD,  Complainant,  vs.  SOUTH SLOPE COOPERATIVE TELEPHONE COMPANY,  Respondent.	DOCKET NO. FCU-02-12
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**ORDER RESUMING PROCEEDINGS, REQUESTING RESPONSE, AND  
ESTABLISHING PROCEDURAL SCHEDULE**

(Issued November 26, 2002)

On June 11, 2002, Iowa County E-9-1-1 Board (Iowa County) filed a complaint with the Utilities Board (Board) against South Slope Cooperative Telephone Company (South Slope). The filing has been identified as Docket No. FCU-02-12. In its complaint, Iowa County contends that the monthly surcharge of \$.20 per access line assessed to Iowa County by South Slope for maintenance of its E-9-1-1 database is unreasonable.

On June 28, 2002, the Board issued an "Order Docketing Formal Complaint Proceeding and Requesting Response" in this docket. On July 17, 2002, South Slope filed a response in compliance with the Board's June 28, 2002, order, as well

as a motion to dismiss the complaint. On August 30, 2002, the Board issued an order denying South Slope's motion to dismiss.

In its August 30, 2002, order, Board staff was directed to meet with both parties in an attempt to facilitate a settlement in this matter. On September 17, 2002, Board staff met with representatives from Iowa County and South Slope as directed by the August 30, 2002, order. On September 30, 2002, the Board issued an order temporarily suspending these proceedings to allow time for the parties to determine the appropriateness of settlement options discussed at the September 17, 2002, meeting and setting a date by which the parties were to indicate to the Board whether an appropriate settlement had been reached.

On October 15, 2002, South Slope filed a letter with the Board asserting that the costs being assessed to Iowa County for the maintenance of the E-9-1-1 database are just and reasonable. After telephone discussions with Iowa County, Board staff learned that Iowa County was considering its options regarding proceeding with this matter in light of South Slope's position.

On November 1, 2002, attorney Philip E. Stoffregen filed an appearance on behalf of Iowa County. On November 6, 2002, Iowa County filed with the Board an amendment to its initial complaint.

It appears there may be material factual disputes between the parties regarding South Slope's E-9-1-1 database maintenance costs. Accordingly, the Board will resume these proceedings and establish a procedural schedule.

**IT IS THEREFORE ORDERED:**

1. The proceedings initiated under Docket No. FCU-02-12 are resumed.

2. South Slope Cooperative Telephone Company shall file a written response to the amendment to complaint within 30 days of the issuance of this order. South Slope is directed to include direct testimony, workpapers, and exhibits supporting its E-9-1-1 database maintenance costs with its response.

3. The following procedural schedule is established for this proceeding:

a. Iowa County shall file prepared direct testimony, with supporting exhibits and workpapers, on or before January 27, 2003.

b. South Slope and any intervenors not aligned with Iowa County's position in this matter shall file any responsive testimony, with supporting exhibits and workpapers, on or before February 17, 2003.

c. Iowa County and any intervenors aligned with Iowa County shall file any rebuttal testimony, with supporting exhibits and workpapers, on or before March 3, 2003.

d. A hearing for the purpose of receiving testimony and cross-examination of all testimony will commence at 9 a.m. on March 25, 2003, in the Board's hearing room at 350 Maple Street, Des Moines, Iowa. Parties shall appear at the hearing one-half hour prior to the time of hearing to mark exhibits. Persons with disabilities requiring assistive services or devices to observe or participate should contact the Board at 515-281-5256 to request that appropriate arrangements be made.

e. Any party desiring to file a brief may do so on or before April 7, 2003.

4. In the absence of objection, all data requests and responses referred to in oral testimony or cross-examination, which have not previously been filed with the Board, shall become a part of the evidentiary record. The party making reference to the data request or response shall file an original and six copies at the earliest possible time.

5. In the absence of objection, if the Board calls for further evidence on any issue and that evidence is filed after the close of hearing, the evidentiary record shall be reopened and the evidence will become a part of the evidentiary record five days after filing. All evidence filed pursuant to this paragraph shall be filed no later than seven days after the close of hearing.

6. Pursuant to 199 IAC 7.7(2) and (11), the time for filing responses or objections to data requests and motions will be shortened to seven days from the date the motion is filed or the data request is served. All data requests and motions should be served by facsimile transfer or by electronic mail, in addition to United States mail.

**UTILITIES BOARD**

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 26<sup>th</sup> day of November, 2002.